

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| Joseph Emerson,                  | ) |                      |
|                                  | ) |                      |
| Petitioner,                      | ) | Case No. 2:23-CV-661 |
|                                  | ) |                      |
| v.                               | ) | Judge                |
|                                  | ) |                      |
| United States District Court,    | ) | Magistrate Judge     |
|                                  | ) |                      |
| and                              | ) |                      |
|                                  | ) |                      |
| Federal Bureau of Investigation, | ) |                      |
|                                  | ) |                      |
| Federal Respondents.             | ) |                      |

**NOTICE OF REMOVAL**

1. Under 28 U.S.C. §§ 1442 and 1446, the United States District Court for the Northern District of Ohio and the Federal Bureau of Investigation<sup>1</sup> (collectively “Federal Respondents”) are removing to this Court a civil action originally filed by Petitioner Joseph Emerson in The Supreme Court of Ohio.

2. Petitioner Emerson filed his “writ of mandamus and prohibition” in The Supreme Court of Ohio on January 25, 2023. The summons was filed January 26, 2023. Federal Respondent United States District Court for the Northern District of Ohio first received Petitioner’s summons and writ of mandamus and prohibition on January 30, 2023, and Federal Respondent FBI first received the same on January

---

<sup>1</sup>Plaintiff names as Respondents the “United States District Court” in Toledo, Ohio, and the “Toledo FBI,” “Detroit FBI,” “Columbia FBI,” and “FBI Los Angeles.”

31, 2023. The process and pleadings served upon the Federal Respondents are attached as Exhibit A.

3. The United States District Court and the FBI are components of the United States Government entitled to remove Emerson's action to the U.S. District Court for the Southern District of Ohio under 28 U.S.C. § 1442(a)(1).

4. The Federal Respondents are removing this action within the 30-day timeframe established under 28 U.S.C. § 1446(b).

5. A copy of this Notice of Removal will be filed promptly with The Supreme Court of Ohio to effect the removal. 28 U.S.C. § 1446(d).

Respectfully submitted,

KENNETH L. PARKER  
United States Attorney

/s/ John J. Stark  
John J. Stark (0076231)  
Assistant United States Attorney  
303 Marconi Boulevard, Suite 200  
Columbus, Ohio 43215  
614-469-5715  
john.stark@usdoj.gov

**CERTIFICATE OF SERVICE**

I hereby certify that on February 16, 2023, I caused the foregoing Notice of Removal to be filed using the CM/ECF system, and that on the same date I caused a copy of this notice to be served by ordinary first-class mail via the United States Postal Service to Joseph Emerson at P.O. Box 13, Toledo, Ohio 43697.

/s/John J. Stark  
John J. Stark  
Assistant United States Attorney